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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,080	12/21/2001	Slim S. Souissi	270/052	1071
27433 7590 04/04/2007 FOLEY & LARDNER LLP 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60610-4764			EXAMINER PATHAK, SUDHANSHU C	
			ART UNIT	PAPER NUMBER
			2611	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/028,080

Applicant(s)

SOUISSI ET AL.

Examiner

Sudhanshu C. Pathak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan. 10<sup>th</sup>, 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32,35,37-42,44-47,49 and 51-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32,35,37-42,45-47,49 and 51-55 is/are rejected.
- 7) ☒ Claim(s) 44 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Dec. 21<sup>st</sup>, 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 32, 35, 37-42, 44-47, 49 & 51-55 are pending in the application.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 32, 35, 37-42, 44-47, 49 & 51-55 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32, 35, 37-38, 40-41 (device) & 42, 45-47, 49, 51-52, 54-55 (system) are rejected under 35 U.S.C. 103(a) as being unpatentable over Lieu (6,708,045) in view of Loh et al. (6,282,086).

In regards to Claim 32, 42, Lieu discloses a multimode modem (Fig. 1, element 102 & Fig. 2, element 202 & Fig. 3 & Column 2, lines 33-50) comprising a first device communicating with a first communication system and a second device communicating with a second communications system (Fig. 6, element 504 & Column 1, lines 28-37 & Column 3, lines 32-43 & Column 7, lines 1-8) {Interpretation: The reference discloses a device (modem) capable of communicating in multiple communicating systems i.e. wireline or wireless and further multiple access technology}. Lieu further discloses the device comprising an interface device so as to be able to communicate with a modem (Column 3, lines 33-

46 & Fig. 2, element 203-212 & Fig. 6, elements 603-612) {Interpretation: The reference discloses implementing an interface so as to be able to communicate with multiple wireless devices.}. However, Lieu does not disclose the modem implemented in a modem card comprising a standard form factor and a secondary modem card comprising a smaller form factor.

Loh discloses a card device receptacles arrangement of a first receptacle and a second receptacle for separately receiving a card device in a portable computer (Abstract, lines 1-9 & Fig. 1 & Fig. 4-5 & Fig. 11-12 & Column 2, lines 5-18). Loh also discloses the receptacle for receiving the second card is small than the receptacle for the first card (Column 2, lines 21-42). Loh also discloses the card receptacle conforms to the PCMCIA format (Column 3, lines 30-45). Loh also discloses the secondary card may provide auxiliary or additional features to the computer as provided by the primary card (Column 3, lines 65-67 & Column 4, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention that Loh teaches a card device receptacle that includes the ability to add an additional secondary card and the modem as described in Lieu can be implemented in the card/receptacle so as to increase the functionality of the computer while maintaining the standard form factor of the device and without increasing the size of the computer or user device.

In regards to Claims 35, 37-38, 40-41, 45-47, 49, 51-52, Lieu in view of Loh discloses a multimode modem as described above. Lieu further discloses an interface device configured to receive address and data information and converting

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the data into serial data to be communicated (Fig. 2, elements 202-212 & Fig. 6, elements 603-613 & Fig. 7, element 503, 506 & Column 2, lines 25-30, 55-60 & Column 3, lines 31-37 & Column 4, lines 55-60 & Column 6, lines 1-52, & Column 9, lines 35-50). Lieu further discloses a serial interface (Column 3, lines 33-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention that Lieu in view of Loh satisfies the limitations of the claim.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention that there is no criticality in selecting a universal serial bus interface this is a matter of design choice depending on the flexibility of the data transfer.

5. Claims 39 (device) & 53 (system) are rejected under 35 U.S.C. 103(a) as being unpatentable over Lieu (6,708,045) in view of Loh et al. (6,282,086) in further view of Garudadri et al. (US 2002/0077814).

In regards to Claims 39 & 53, Lieu in view of Loh discloses a multimode modem as described above. Lieu further discloses the interface device for communicating the voice data (Fig. 7, elements 711-712 & Column 1, lines 40-48). However, Lieu in view of Loh does not disclose the primary device interface includes a pulse code modulation interface for voice data.

Garudadri discloses that voice data is pulse code modulated (PCM) format wherein the microphone converts audible input voice information into voice data in a PCM format (Specification, Page 1, Paragraph 4, lines 6-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention that Garudadri teaches implementing a PCM format for communications of voice data

and this is implemented in the modem as described in Lieu in view of Loh as an interface for communication of voice form the modem, thus satisfying the limitation of the claims.

***Allowable Subject Matter***

6. Claim 44 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhanshu C. Pathak whose telephone number is (571)-272-3038. The examiner can normally be reached on M-F: 9am-6pm.  
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on (571)-272-3042.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sudhanshu C. Pathak  
Examiner  
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CHIEH M. FAN  
SUPERVISORY PATENT EXAMINER